

# **EXHIBIT F**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JEREMY ZIELINSKI, on behalf of himself and all  
others similarly situated,

**Declaration of  
Jean Marc Desmarat**

Plaintiff,

Case No. \_\_\_\_\_

v.

DANIEL MARTUSCELLO,

Defendant.  
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I, Jean Marc Desmarat, declare under penalty of perjury pursuant to 28 U.S.C.  
§ 1746 that the following is true and correct:

1. I am incarcerated at Woodbourne Correctional Facility and acquainted  
with the Plaintiff. I make this declaration in support of the claims herein that the  
defendant is violating the Religious Land Use and Institutionalized Persons Act by not  
allowing incarcerated individuals for whom viewing the April 8, 2024 total solar  
eclipse (the “Eclipse”) has religious significance to do so.

2. I am a sincere adherent of the Islamic faith and have been for many years.

3. I believe viewing the Eclipse has religious significance because there is a  
special prayer inscribed in the Holy Quran that we are supposed to perform as the  
Prophet (peace be upon him) did. I also believe that congregating with other people  
of faith when possible to enjoy merciful Allah’s great Creation is a very important

religious duty. The Eclipse is the last eclipse that will happen for 20 years and I am 60 years old.

4. On March 14, 2024 I asked Woodbourne CF Deputy Superintendent for Programs, Danielle Glebocki, for permission to view the Eclipse, and she denied it by telling me that it's not on DOCCS's "Religious Holy Days Calendar" for Islam. There is nowhere near enough time before the Eclipse for the DOCCS grievance process to complete. Also I'm aware DOCCS has given the same reasoning to deny other people.

5. I am not aware of any other event for which DOCCS claims authority to decide what is and is not a "holy day." The "Religious Holy Days Calendar" is not an Islamic authority but is just for DOCCS's own convenience.

6. I therefore request the Court order the Defendant to allow me and other incarcerated people to view the Eclipse.

Executed on March 14, 2024  
at Woodbourne, New York.



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Jean Marc Desmarat #03-A-6318  
Woodbourne Correctional Facility  
99 Prison Road, P.O. Box 1000  
Woodbourne, NY 12788-1000